

News Release

Daphne Ecological Services Field Office

1208-B Main Street
Daphne, AL 36526

Phone: (251) 441-5181
Fax: (251) 441-6222

<http://daphne.fws.gov>

January 11, 2007 |

U.S. Fish and Wildlife Service Releases Record of Decision, Modified Permits for Condominium Projects

(Daphne, Ala.) – The U.S. Fish and Wildlife Service today released its Record of Decision (ROD) and issued modified Incidental Take Permits (ITPs) for the Beach Club West and Gulf Highlands condominium projects on the Fort Morgan Peninsula of Baldwin County, Alabama.

The ROD was prepared following a review of the Final Environmental Impact Statement (FEIS) released in December 2006. The permits are based on the EIS, which evaluated the impacts of various alternatives for the construction and occupancy of the two condominium projects. The ROD finalizes the EIS process with alternative 5 as the preferred alternative.

Alternative 5 of the proposed project is a high-density development that includes two multi-story condominium complexes with associated parking, recreational amenities, single-family residences, and a commercial development on the northeast boundary of the project site. These development features would permanently impact about 40.8 acres of coastal dune habitat, temporarily impact 21.9 acres, and eliminate about 1,825 linear feet of escarpment dunes. To compensate for these impacts, a 96.8-acre wildlife conservation area on the project site would be set aside and preserved in perpetuity.

The EIS was prepared to reevaluate the ITPs issued to the developers of the two projects in April 2002, and to assure that National Environmental Policy Act (NEPA) requirements to assess the significance of the proposed projects on environmental factors had been fully met.

Prior to issuing the original ITPs, the Service prepared an Environmental Assessment (EA). Following issuance of the ITPs in 2002, a lawsuit was filed challenging the decision and, with guidance from the court, the Service decided that preparation of an EIS was appropriate.

The EIS takes into account conclusions drawn from an analysis of the cumulative impacts of all development on the Fort Morgan Peninsula in making its recommendations specific to the two

condominium complexes. The final EIS was prepared after a careful review and consideration of all comments received during the scoping and public comment periods.

Under the Endangered Species Act, an Incidental Take Permit must be issued if, after an opportunity for public comment, it is determined that: any taking of a threatened or endangered species will be incidental; the applicant will, to the maximum extent practicable, minimize and mitigate the impacts of such taking; the applicant will ensure that adequate funding for the habitat conservation plan will be provided; and the taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild. These are the issuance criteria used by the Service.

You can request a copy of the ROD by phone at 404-679-4144, by fax at 404-679-7081, by e-mail at aaron_valenta@fws.gov, or by mail at: U.S. Fish and Wildlife Service-Southeastern Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, GA 30345.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System, which encompasses 544 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 64 fishery resources offices and 81 ecological services field stations. The agency enforces federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign and Native American tribal governments with their conservation efforts. It also oversees the Federal Assistance program, which distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.